

SJ-EXHIBIT 22

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 IN RE: NATIONAL : MDL No. 2804
5 PRESCRIPTION OPIATE :
6 LITIGATION : Case No. 17-md-2804
 :
 APPLIES TO ALL CASES : Hon. Dan A. Polster
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8 HIGHLY CONFIDENTIAL

9 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

11 - - - -
12 JANUARY 4, 2019
13 - - - -

14 VIDEOTAPED DEPOSITION OF ANTHONY MOLLICA,
15 taken pursuant to notice, was held at Marcus &
16 Shapira, One Oxford Center, 35th Floor, Pittsburgh,
17 Pennsylvania 15219, by and before Ann Medis,
18 Registered Professional Reporter and Notary Public in
19 and for the Commonwealth of Pennsylvania, on Friday,
20 January 4, 2019, commencing at 8:06 a.m.

22 GOLKOW LITIGATION SERVICES
877.370.3377 phone | 917.591.5672 fax
23 deps@golkow.com

1 requirements being held based on legal
2 requirements, et cetera.

3 Q. Let's just, if we could, make a list of
4 these policies. So the first that I heard was
5 good decisions on dispensing.

6 A. We supported pharmacists' right to make
7 professional judgments as to what was proper and
8 improper in terms of dispensing, made sure the
9 pharmacists knew that they had the right, final
10 right of decision making when it came to
11 dispensing.

12 We had our controlled substance procedures
13 that we made sure was distributed. We had audit
14 procedures that were done quarterly and documented
15 in accordance with what our procedures and
16 policies were at the time. We had practices in
17 terms of document retention and what needed to be
18 done in terms of proper ordering, training,
19 training on -- we had manuals and references
20 regarding not only the DEA, but Pharmacy Act and
21 fraud, waste and abuse policies, CBTs, annual
22 meetings with a lot of discussions of what the
23 obligation of pharmacists were and helped in any
24 way.

25 We've had DEA inspections which were never --

1 never got any feedback that we weren't doing
2 anything other than what was required from us from
3 a legal perspective.

4 Q. So I just want to make sure I've got an
5 exhaustive list. One was good decisions on
6 dispensing. Then you said you gave pharmacists or
7 professionals the ability to make professional
8 judgments on dispensing controlled substances?

9 A. Yeah, supported by the Pharmacy Act,
10 yes.

11 Q. And then the second one was controlled
12 substance procedures?

13 A. Again, Giant Eagle had a controlled
14 substance policy that's part of the control box,
15 and the company made sure that we communicated
16 what those procedures are to the pharmacy.

17 Q. And what were those policies?

18 A. I can't recite them. It was part of the
19 control box.

20 Q. When you say control box, what do you
21 mean by that?

22 A. There was a physical box in every
23 pharmacy that was a single place to look for
24 procedures, documents, records, that type of
25 thing. We called it the control box.